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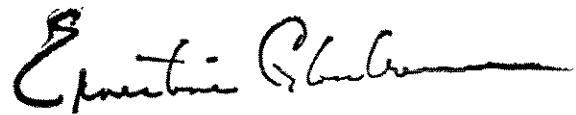
HOUSE STUDY GROUP

daily floor report

Wednesday, January 12, 1983
The House convenes at 10 a.m.

Business to be addressed by the House includes the Housekeeping Resolution, the proposed House rules, and the report of the committee considering election contests in District 98 (Gwyn Clarkston Shea) and District 87 (Chip Staniswalis). Both contests have been withdrawn, but formal House action is required to officially resolve the matter. (For more information on the contests see the HSG Weekly Preview published yesterday.)

Copies of the Housekeeping Resolution and the House rules being proposed by Speaker Gib Lewis were distributed to members yesterday afternoon. Major changes in the Housekeeping Resolution are described starting on Page 1 of this report. A discussion of the rules begins on Page 4.



Ernestine Glossbrenner
Chair

Proposed House Rules (HR 16)

Under the rules proposed by Speaker Lewis, the House rules would be substantially reorganized in format, as well as changed in a number of substantive ways. The rules now are divided into chapters, subchapters, and sections. Each rule carries both a chapter number and a section number. For instance, Rule 4.029, "proper attire," is found by turning to Chapter 4, which deals generally with the conduct of business on the House floor.

The proposed rules would change the numbering system to rules, chapters, and sections. Under the new system, Proper Attire would be Section 19 of Rule 5, Floor Procedure.

The provisions would also be substantially rearranged and expanded, from the current seven chapters to 15 rules.

In all instances when the present rules apply to either sex--"chair", "he or she", "Mr. or Madam Speaker",-- the masculine gender has been substituted--"chairman", "he", "Mr. Speaker."

Committee changes

The number of committees would expand from 31 to 33. The Appropriations Committee would consist, except for the chair and vice-chair, of the Budget and Oversight subcommittee chairs for each of the 27 other substantive committees (the procedural committees do not have Budget and Oversight subcommittees.)

Several old committees would be abolished or would have parts of their jurisdictions transferred. The Government Organizations Committee (sunset) would be abolished. State agencies up for sunset review would be dealt with by the committee with similar subject matter jurisdiction. The Constitutional Amendments Committee also would be abolished, with proposed amendments referred to committees based upon their subject matter.

Intergovernmental Affairs would be broken into two new committees--County Affairs and Urban Affairs. County Affairs would also receive jail standards from Security and Sanctions. Security and Sanctions would lose probation and parole to Criminal Jurisprudence and would become the Law Enforcement Committee. Human Services would convert its subcommittee on Aging to the new Retirement and Aging Committee and send community development to Urban Affairs. Regions, Compacts and Districts would send its inter-governmental jurisdiction to the new State, Federal and International Committee.

Employment Practices would convert to Labor and Employment Relations. However it would lose jurisdiction over wages, hours, collective bargaining, employer-employee relations and industrial accidents to the re-named Business and Commerce Committee. Since

the re-named Energy Committee would have jurisdiction over the Railroad Commission and its sunset review, the Transportation Committee might lose jurisdiction over trucking regulation; it has lost jurisdiction over pipeline regulation. A chart illustrating the proposed changes is attached.

The total number of "slots" on substantive committees would be 296--meaning 147 House members would serve on two substantive committees ($147 \times 2 = 294$), while two others (the chairs of State Affairs and Appropriations) would serve on only one substantive committee. Of the total number of committee places available, 91 would be subject to being filled on the basis of the seniority system, compared to 110 under the old rules.

In selecting committee members, as noted, appointments to the Appropriations Committee would no longer be subject to seniority. However, other substantive committee slots would be open to seniority selection. The proposed rule on the seniority system provides that members would designate three committees in order of preference, rather than only one. A member would be entitled to a seat on the committee of his highest preference on which there remained a vacant seniority position.

Under the old rules, no one could serve concurrently on Appropriations, Ways and Means and State Affairs. The proposed rules would require that at least two members, the Budget and Oversight chairs for Ways and Means and State Affairs, serve on Appropriations as well. The proposed rules would not allow the chairs of Appropriations or State Affairs to serve on any other substantive committee, but they could serve on a procedural committee (Calendars, Local and Consent, House Administration, Rules and Resolutions, or General Investigating).

To reflect the expanded role for Budget and Oversight subcommittees, membership on those subcommittees would be expanded from the current four members to at least a majority of each substantive committee, to be appointed by the committee chair. Other than Budget and Oversight, they would no longer be any standing subcommittees. (The committee jurisdictions are listed in Rule 3; Seniority is dealt with in Rule 4).

Other significant proposed changes include:

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| Page 3 | Speaker could recognize gallery visitors upon written request of member. |
| Page 4 | One-year limit removed on term of speaker pro-tempore--serve at pleasure of speaker. |
| Pages 7-8 | All chairs and vice-chairs, not just House Administration chair, would serve at pleasure of speaker after appointment. |

Pages 13, 100,
and 102 Motions Calendar changed to Congratulatory and Memorial Resolutions Calendar.

Pages 14, 93,
and 94 Member may file reason for vote, aye or nay on nonrecord vote, in Journal within two hours of vote, rather than one hour.

Pages 19, 20 Committee employees under all restrictions of House employees.

Pages 20, 21 Member employees under all restrictions as House employees, including immediate dismissal by House Administration Committee or Speaker for rule infraction.

Page 50 Local and Consent and General Investigating Committee as well as Rules and Resolutions, Calendars, and House Administration, may not meet while House is session without special permission.

Page 82 Members of both sexes, not only "gentlemen" must be properly attired.

Page 99 Special order may be postponed to day certain by two-thirds vote of those present, not of entire House membership.

Page 108 For committee reporting a bill to recommend that bill be assigned to the Local and Consent calendar must be done unanimously by those present and vote not just by majority vote.

Page 128 Number of copies of bills filed-- 13 rather than 12 for general bills, 15 rather than 14 for special district bills.

Pages 129, 130 Must designate preference bill before bill referred to committee, not before committee hearing.

Page 137 Appropriations chair assigns section of General Appropriations bill to committee with jurisdiction for budget and oversight review, but if conflict, Speaker decides.

Page 159 Speaker may overrule point of order raised against violation of printing rules if typographical or minor error that does not deceive or mislead.

Appropriations Limitations

Rule 9, Section 14 would change the provisions limiting appropriations measures other than the General Appropriations bill from being considered early in the session. An existing provision, Section 5.016, says that in the first 120 days of the session, and prior to final passage and certification of the General Appropriations bill, no bill is in order that would (1) prevent any money from entering the state treasury or (2) transfer or divert money from one fund to another fund, except that transfers from a special fund to the general revenue fund are allowed.

The proposed rule would, during the same period, bar any bill that would prevent money that is presently available to fund state government generally from still being available for that purpose, including any bill that transfers or diverts state money from the general revenue fund to another fund. In effect the rule means that if the General Appropriations Act is not enacted or certified in the first 120 days of the session (and it almost never is), no bill can be considered that would lower the level of general revenue available to fund general state services.

Another provision in the present rules, Section 5.066, imposes a flat prohibition on enactment of any appropriations bills prior to passage of the General Appropriations bill. The proposed Rule 9, Section 14(e) incorporates that prohibition as well as the existing exceptions to it--bills providing for (1) payment of the Legislature's expenses, (2) payment of judgments against the state, and (3) emergency measures requested by the Governor. The proposed rules would add a fourth exception for bills providing for reduction of taxes.

Finally, existing Section 5.064 imposes a meaningless deadline of 90 days on the Appropriations Committee to report a bill--meaningless because should the committee fail to meet the deadline, the 90-day deadline is automatically suspended. The proposed Rule 9, Section 14(g) attempts to add some teeth to the 90-day deadline by suspending the four exceptions for special and emergency appropriations should the committee fail to report the General Appropriations bill on time.

Comparison of Existing Committee With Proposed

<u>Existing (no. of members)</u>	<u>Proposed (no. of members)</u>
Agriculture and Livestock (11)	Agriculture and Livestock (9)
Appropriations (21)	Appropriations (29)
Business and Industry (9)	Business and Commerce (9)
Employment Practices (9)	Labor and Employment Relations
Calenders (9)	Calenders (9)
* Constitutional Amendments (9)	
Criminal Jurisprudence (11)	Criminal Jurisprudence (9)
Security and Sanctions (9)	Law Enforcement (9)
Elections (11)	Elections (9)
Energy Resources (11)	Energy (9)
Transportation (11)	Transportation (9)
Environmental Affairs (11)	Environmental Affairs (9)
Financial Institutions (9)	Financial Institutions (9)
General Investigating (5)	General Investigating (5)
* Government Organization (11)	
Health Services (9)	Public Health (9)
Higher Education (13)	Higher Education (9)
House Administration (7)	House Administration (9)
Human Services (9)	Retirement and Aging (9)
	Human Services (9)
	Urban Affairs (15)
* Intergovernmental Affairs (13)	County Affairs (15)
Insurance (11)	Insurance (9)
Judicial Affairs (11)	Judicial Affairs (9)
Judiciary (11)	Judiciary (9)

Existing

Proposed

Liquor Regulation (9)	Liquor Regulation (9)
Local and Consent (9)	Local and Consent (9)
Natural Resources (11)	Natural Resources (9)
Regions, Compacts and Districts (19)	Regions, Compacts and Districts (9)
	State, Federal and International Relations (9)
Public Education (11)	Public Education (9)
Rules (9)	Rules and Resolutions (9)
State Affairs (15)	State Affairs (15)
	Cultural and Historical Resources (9)
Ways and Means (13)	Ways and Means (15)

NOTE: Arrows indicate transfer of function from one committee to one or more committees

* Committee abolished